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SIPDIS

STATE FOR NEA/RA, G/TIP

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CE, RP, IN, VM, BG, JO
SUBJECT: JORDAN TIP INTERIM ASSESSMENT

REF: A. AMMAN 2822
[B](#). AMMAN 1917
[C](#). AMMAN 2206
[D](#). AMMAN 261

[1](#)1. (SBU) Summary: Over the past six months, Jordan made steady progress on measures to combat trafficking-in-persons. Progress includes an increase in trafficking-related cases being tried, the approval of a joint labor inspector and police investigation unit, the creation of a Humanitarian and Legal Assistance Fund for victims, and the placement of agriculture and domestic workers under the Labor Law. Ongoing initiatives, such as efforts toward the passage of an anti-TIP Law and a government-funded shelter, are still underway with Post actively engaging officials at all levels. Victim identification procedures and a shelter still need to be established but are required under a draft anti-TIP law the GOJ has indicated it intends to send to Parliament in the current session. End Summary.

New Prosecutions of Trafficking-related Offenses -----

[1](#)2. (SBU) The GOJ has taken active steps to prosecute trafficking-related cases. Kwala Al-Hassan, Qualifying Industrial Zone Adviser to the Minister of Labor (MOL), told Poloffs on November 13 that 19 cases involving trafficking-related conditions have been investigated and forwarded for prosecution in the last six months. All cases are in the court system and involve both domestic and QIZ workers. Al-Hassan also reported that 75 municipal employees in Karak were charged on October 9 with abuse of position, negligence, complicity in theft, and forging administrative stamps after numerous migrant domestic workers were found not to have the right work permits. (Comment: While the government previously closed private businesses for labor violations, this action indicates a willingness to take action against government officials infringing labor laws. It also reflects the government's seriousness towards protecting the rights of foreign workers. End Comment.) Additionally, Atef Al-Majali, head of the Labor Unit in the National Center for Human Rights (NCHR), reported to Poloff on November 16 that the Center forwarded ten cases to the courts asking for the return of domestic workers' confiscated passports. In each case Al-Majali reported that the courts ordered the passports to be returned.

[1](#)3. (SBU) To further increase the number of cases going to court, the Cabinet approved the creation of a joint labor

inspector and police unit within the MOL. The unit is tasked with investigating the situation of both migrant QIZ workers and domestic workers. The International Labor Organization (ILO) will provide assistance to operationalize the unit and, as a first step, will send a Jordanian team to Italy in December for training with experienced police and labor investigators.

Anti-TIP Law Priority, Identification and Shelter Discussed

¶4. (SBU) The GOJ has repeatedly reiterated to Post that the passage of a comprehensive anti-TIP Law continues to be a top short-term priority and that they plan to submit the law to parliament in the current session, which is expected to run at least until January 31, 2009 (Ref A). (Note: Once submitted, Parliament can introduce amendments to the law or delay action if it considers other pending legislation to be more important or if technical aspects require examination. (Ref B) End Note) On November 13, the inter-Ministerial Labor and Trafficking-in-Persons Committee, comprised of the Ministers of Interior, Labor, Trade, Justice, Social Development, and Health, met to discuss the draft anti-TIP Law prepared by an inter-ministerial working group using Bahrain's and the United Arab Emirates' (UAE) laws as a basis. (Note: Post provided MOL and NCHR the UAE law and a model TIP law based on Ambassador Lagon's recommendation of these laws to the GOJ during his September visit. End Note.) According to Lejo Sibbel, USAID-funded Adviser to the Minister of Labor, and Al-Majali, both members of the drafting committee, the ministers felt the law was close to completion but wanted the working group to refine a few clauses. In a November 12 conversation with Poloff, Sibbel said that while focus is primarily on drafting a good anti-TIP law, other key anti-TIP measures, such as formal victim identification procedures and a shelter for victims, are being discussed inter-ministerially and effort is being made to include them as requirements under the law.

Humanitarian and Legal Assistance Fund Created

¶5. (SBU) The MOL has established a Humanitarian and Legal Assistance Fund to provide financial support to victims of trafficking-related offenses. Approximately 240,000 JD (\$336,000) was deposited into the fund by employers paying 43 JD (\$60) per employee to legalize workers with expired residency or work permits during a March to July 2008 amnesty period. In addition to providing humanitarian assistance such as food, housing, and repatriation tickets, the fund can also be used to pay the legal fees for victims filing criminal or libel cases against their employers. Sibbel told Poloff that the fund recently paid for the repatriations of 38 migrant workers from Bangladesh when their factory closed without notice, leaving them without final salary payments and airline tickets. The fund is also paying for a lawyer to take their case to court.

Significant Development: Labor Law Amendments

¶6. (SBU) Agriculture and domestic workers are now fully covered under the Labor Law after Parliament passed four key amendments in July (Ref C). As a result, Jordan essentially has a single Labor Law for all people regardless of nationality or type of work. According to Sibbel, regulations that will codify specific standards, such as wages, work contract norms, rest periods, inspection practices, and working hours, are near completion. Sibbel noted that the regulations will allow inspectors to enter households for the first time, but either the household's permission or a court order will first be required. Fines for failure to comply with the Labor Law were also increased from JD 100-500 (\$140 - \$700) to JD 300-500 (\$420 - \$700). If an employer forces, threatens or coerces someone to work (including withholding their passports), the offender faces a fine of \$700 - \$1,400 (JD 500-1000). Anyone peripherally involved in the case can also be punished under the same law. If the offender repeats

the violations, fines are doubled.

Comment

17. (SBU) Comment: The GOJ has strongly stated that fighting TIP is a top priority and has signaled its commitment by making progress on several key fronts. The elevation of the anti-TIP inter-ministerial committee to the ministerial level and the formation of three sub-committees charged with moving the anti-TIP agenda forward quickly were positive steps towards achieving the established goals. Changes to the labor law, approval of a joint labor inspector and police unit, creation of a humanitarian and legal assistance fund, and increasing number of cases sent to court are key developments in the past six months and are representative of the government's anti-TIP commitment. Post actively engages the GOJ and Parliament at all levels on TIP and continues to press for measures not yet completed, especially the passage of an anti-TIP law. Post formed an inter-Embassy anti-trafficking committee to coordinate engagement across sections and agencies and to examine methods of assisting GOJ efforts. Post will continue to monitor TIP progress and provide updates. End Comment.

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